

Applicant(s): Errico et al.
Serial No.: 10/663,488
Filed: 9/16/2003
For: Intervertebral Spacer Device
Having an Engagement Hole for
Manipulation Using a Surgical
Tool

Examiner: Not assigned
Art Unit: 3738
Docket No.: F-291
Dated: 4/8/2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS AND
REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

In response to the Notice to File Corrected Application Papers mailed 3/18/2004 in the above-identified application, the Applicant submits the following amendments and remarks.

In addition, the Applicant has enclosed a marked-up copy of the Filing Receipt received from the Office for this application. The filing receipt incorrectly indicates the Applicant's Docket No. as "F-290"; the correct Docket No. is "F-291" as the Applicant has marked on the enclosed Filing Receipt copy. The Applicant hereby requests that a Corrected Filing Receipt be issued in this application.

O I P E
APR 12 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/663,488	09/16/2003	3738	375	F-290 <i>F-291</i>	27	12	1

36402
 SPINECORE, INC.
 447 SPRINGFIELD AVENUE
 SUITES W2-W3
 SUMMIT, NJ 07901

FILING RECEIPT



OC000000012136532

Date Mailed: 03/18/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Joseph P. Errico, Green Brook, NJ;
 Michael W. Dudasik, Nutley, NJ;
 Rafail Zubok, Midland Park, NJ;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/282,356 10/29/2002
 and is a CIP of 10/309,585 12/04/2002
 and is a CIP of 10/425,267 04/29/2003

Foreign Applications

If Required, Foreign Filing License Granted: 12/19/2003

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Intervertebral spacer device having an engagement hole for manipulation using a surgical tool

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).